

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



July 30, 1998

ALL-COUNTY LETTER NO. 98-56

TO: ALL COUNTY WELFARE DIRECTORS
ALL CAL-LEARN COORDINATORSREASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☒ Initiated by CDSS

SUBJECT: REGULATIONS TO IMPLEMENT THE CAL-LEARN PROGRAM PORTION
OF THE CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO
KIDS (CalWORKS)REFERENCE: ASSEMBLY BILL (AB) 1542, CHAPTER 270, STATUTES OF 1997,
ALL COUNTY LETTER (ACL) NO. 97-72

Attached are the Cal-Learn emergency regulations that are adopted pursuant to AB 1542 (Chapter 270, Statutes of 1997). These regulations became effective July 1, 1998.

Initial instructions to implement the Cal-Learn provisions of AB 1542 were provided to the County Welfare Departments (CWDs) in ACL 97-72. The attached regulations replace the ACL 97-72 guidelines. There are no changes from the initial guidelines.

If you have any questions regarding this letter or need additional information, please contact Diana Nicolaou, Program Analyst, at (916) 654-0118.

Sincerely,

***Original Document Signed By
Bruce Wagstaff on 7/17/98***BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division

Attachment

Amend Handbook Sections 42-762.1 and .2 et seq. and Sections 42-762.3 et seq., .42, and .7 to read:

42-762

INTRODUCTION TO THE CAL-LEARN PROGRAM

42-762

HANDBOOK BEGINS HERE

.1 Background

Social science research has established a strong connection between teenage parenting and long-term welfare dependency. Health research also indicates a strong relationship between early childbearing and increased maternal and infant morbidity and mortality. Senate Bill (SB) 35, Chapter 69, Statutes of 1993, and SB 1078, Chapter 1252, Statutes of 1993, established the Cal-Learn Program to address the unique educational, vocational, training, health, and other social service needs of Aid to Families with Dependent Children (AFDC) dependent pregnant teens and teenage parents to help them achieve self-sufficiency. As part of the California Work Pays Demonstration Project (CWPDP), the Cal-Learn Program serves ~~AFDC~~ welfare recipients under 19 years old who are custodial parents or pregnant. To encourage these teen parents to stay in or return to high school or an equivalent program and earn a diploma or its equivalent, the Cal-Learn Program provides fiscal incentives and disincentives as well as needed supportive services and intensive case management.

The federal welfare reform law, which was enacted in August 1996, ended the federal AFDC Program and replaced it with the Temporary Assistance for Needy Families (TANF) Program. California's welfare reform bill Assembly Bill (AB) 1542, (Chapter 270, Statutes of 1997) ended the California AFDC Program and replaced it with the California Work Opportunity and Responsibility to Kids (CalWORKs) Program. Effective January 1, 1998, AB 1542 amended the Cal-Learn Program to allow an otherwise eligible custodial parent or pregnant woman who is 19 years of age to continue to voluntarily participate in the Cal-Learn Program.

.2 Outline of the Major Program Requirements

The major program requirements of the Cal-Learn Program are as follows:

- .21 Each teen parent will be required to attend full-time school programs that will lead to a high school diploma or equivalent until ~~they~~ he or she earns a high school diploma or its equivalent or ~~turns~~ 19 years old.
 - .211 Effective January 1, 1998, an otherwise eligible teen who is 19 years of age may continue to participate in the Cal-Learn Program on a voluntary basis until he or she earns a high school diploma or its equivalent or turns 20 years old.
- .22 An assistance unit (AU) with a teen parent or parents will receive up to four \$100 bonuses in a 12-month period for each teen parent that makes satisfactory progress

in ~~their~~ his or her school program.

- .23 Each teen parent receiving a high school diploma or its equivalent within the month he/ or she turns age 19 years old, or turns 20 years old for a voluntary 19-year-old participant, will receive a \$500 bonus.
- .24 An AU with a teen parent or parents will receive a \$100 sanction up to four times in a 12-month period for each teen parent who fails to make adequate progress in ~~their~~ his or her school program without demonstrating good cause. (Continued)

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.3 Definition for Terms Used in The Cal-Learn Program (Continued)

- a. ~~(4)~~ "CWPD" means the California Work Pays Demonstration Project.
(54) (Continued)
- c. (1) "CalWORKs" means the California Work Opportunity and Responsibility to Kids Program, which replaced the AFDC Program in California. Reference to the CalWORKs Program shall include reference to the AFDC Program, as appropriate.
- (+2) "CDHS" means the California Department of Health Services.
- (23) "CDSS" means the California Department of Social Services.
- (34) "Control group" means an evaluation group of teen parents who shall not participate in Cal-Learn.
- (45) "CWD" means the county welfare department.
- a. ~~(46)~~ "CWPD" means the California Work Pays Demonstration Project.
(Continued)
- g. (1) "GAIN" means the Greater Avenues for Independence program, a comprehensive statewide employment program for AFDC applicants and recipients, which was in effect in California prior to the welfare-to-work activities in the CalWORKs Program. (Continued)
- t. (1) "Teen parent" means an individual participating in the Cal-Learn Program. To be a participant, an individual must:

- (A) ~~Be an AFDC~~ a CalWORKs recipient under the age of 19 or 19 years of age and continuing Cal-Learn participation on a voluntary basis; and
- (B) Not have obtained a high school diploma or its equivalent; and
- (C) Reside with his/her child in the same AU; or
- (D) Be pregnant; and
- (E) Have been notified of the Cal-Learn Program under Section 42-764.1; and
- (F) Not be exempt from participation.

(2) ~~“Trustline Informing Notice” means the form (Child Care Programs [CCP] 2, Rev. 7/95) that explains the Trustline registration system and requirements and is provided to Title IV-A parents who choose a license exempt child care provider.~~

(32) (Continued)

w. ~~Reserved~~

(1) “Welfare-to-work activities” means the work or work-related activity requirements in the CalWORKs Program. Welfare-to-work activities replaced the GAIN Program in California. Reference to welfare-to-work activities shall include reference to the GAIN Program, as appropriate.
(Continued)

.4 Federal Demonstration Project (Continued)

.42 The CWD shall provide adequate notification to ~~GAIN registrants~~ teen parents who have been assigned to the Cal-Learn evaluation control group. (Continued)

.7 ~~Federal AFDC~~ CalWORKs Eligibility

A pregnant teen with no other children (AU of one) who has entered the Cal-Learn Program under Section 42-764.1 shall be ~~federally~~ eligible for ~~AFDC~~ CalWORKs and the pregnancy special need payment under Section 44-211.63~~4~~ during her first and second trimesters of pregnancy.

Authority Cited: Sections 10553, 10554, and 11320 et seq., Welfare and Institutions Code.

Reference: Sections 10063, 10852, 10853, 11320, 11331.5(a) and (c), 11332, and 11333.7(a), (b) and (c), Welfare and Institutions Code; SB 35, Chapter 69, Statutes of 1993, as amended by SB 1078, Chapter 1252, Statutes of 1993; 45 CFR 250.10(c); 45 CFR 250.40(a); 45 CFR 255; 45 CFR 282; 42 U.S.C. Section 602; 42 U.S.C. Section 1315; Federal Waiver Terms and Conditions for the California Work Pays Demonstration Project, March 1994; Assembly Bill 2560, (Chapter 1268, Statutes of 1994) and Senate Bill 1984, (Chapter 1267, Statutes of 1994).

Amend Sections 42-763.1 et seq., .2, and .8 et seq. to read:

42-763 CAL-LEARN PROGRAM ELIGIBILITY AND PROGRAM PARTICIPATION REQUIREMENTS 42-763

.1 Eligibility

.11 Individuals who meet the following conditions ~~shall be registered for the GAIN Program and~~ shall be required to participate in the Cal-Learn Program unless exempt under Section 42-763.2. An individual ~~eligible for~~ required to participate in the Cal-Learn Program is a person who:

.111 ~~Is an AFDC~~ a CalWORKs recipient under the age of 19; and (Continued)

.12 Individuals who meet the following conditions may participate in the Cal-Learn Program on a voluntary basis:

.121 Is a CalWORKs recipient 19 years of age;

.122 Was participating in the Cal-Learn Program prior to becoming 19 years of age;

.123 Has not obtained a high school diploma or its equivalent;

.124 Is attending high school or an equivalent program on a full-time basis, as defined by the school, unless the CWD determines that the teen has good cause for not complying with this requirement; and

.125 Resides with his or her child in the same AU or is pregnant and the pregnancy is verified under Section 80-301(m)(2).

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Examples:

(a) At 15 years of age, Mary was a Cal-Learn participant. At 17 years of age, she went off cash aid and was no longer eligible for Cal-Learn participation. At 19 years of age, Mary is back on cash aid, has not received a high school diploma or equivalent and wants to voluntarily participate in Cal-Learn. Mary is eligible to voluntarily participate in Cal-Learn.

- (b) At 19 years of age, Susan is pregnant and receiving cash aid for the first time. She has not received a high school diploma or equivalent and she wants to voluntarily participate in Cal-Learn. Susan is not eligible to voluntarily participate in Cal-Learn.

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- ~~.13~~ ~~An individual assigned to the Basic Education Study in Riverside County shall not be eligible for the Cal-Learn Program for the duration of the individual's random assignment to this study.~~
- .13 An individual who is participating in the Cal-Learn Program on a voluntary basis is eligible for the same benefits as an individual who is required to participate in the Cal-Learn Program.
- .14 An individual who chooses not to voluntarily participate in the Cal-Learn Program shall be subject to welfare-to-work activities as specified in Section 42-711.3 and time limits as specified in Section 42-302.213.
- ~~.125~~ An individual assigned to a control group under Section 42-762.4 shall not be eligible for the Cal-Learn Program for the duration of the research period unless he or she moves to a county that is not participating in the research project under Section 42-762.4.
- .2 Exemption
- Individuals meeting the following requirements shall be exempt from ~~GAIN registration~~ and the Cal-Learn Program. An exemption shall be granted by the CWD if the individual:
(Continued)
- .8 Break in Program Participation
- When a teen parent has a break-in-aid or is exempted from the program for 90 days or more or when a 19-year-old teen parent voluntarily discontinues from Cal-Learn for 90 days or more, the following conditions shall be met. (Continued)

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- .83 Example: Bill is discontinued effective February 28. He remains in school and is reinstated effective June 2. His report card for the school term ending June 30 indicates satisfactory progress. Bill is not eligible for a bonus because his break-in-aid was for more than 90 days and he has not participated for 90 days after his ~~AFDC~~ CalWORKs was reinstated.

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Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10063, 11450, 11331.5, 11331.7, 11332, 11332.5(a)(3), 11333.7(a), (b)(1) and (d), 11334.2, and 11450, Welfare and Institutions Code; 45 CFR 250.40(a) and 45 CFR 282; and 42 U.S.C. Section 1315.

Amend Handbook Section 42-764.231 to read:

42-764 NOTIFICATION AND ORIENTATION
(Continued)

42-764

.2 Orientation

A Cal-Learn orientation shall be scheduled and provided to teen parents. (Continued)

- .23 When a teen parent fails to attend the scheduled orientation, the teen parent and the head of the AU shall be sent a notice containing a Cal-Learn Program description and the program requirements under Section 42-764.21 no later than 5 working days after the scheduled orientation.

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- .231 Teen parents who do not attend orientation, or otherwise do not cooperate, will continue to receive their ~~AFDC~~ CalWORKs grants for which they are eligible. Under Sections 42-763.741 and 42-766.33, these teen parents will be subject to sanctions if they do not submit their report cards.

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Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10063, 11332.5(a)(5), and 11334.2, Welfare and Institutions Code, and 45 CFR 255.4(j).

Repeal Section 42-765.3:

42-765 SUPPORTIVE SERVICES (Continued)

42-765

~~.3 In those instances when a teen parent chooses a license exempt child care provider, the Trustline registration requirements in GAIN regulations at Sections 42-750.314 et seq., .315 et seq., .334, .335, .336, and .812 et seq. shall apply.~~

Authority Cited: Sections 10553, 10554, and 11320 et seq., Welfare and Institutions Code.

Reference: Sections 11320, 11323.4, and 11331.7(a), Welfare and Institutions Code; 42 U.S.C. Section 602; and 45 CFR 255.4(j); AB 2560 (Chapter 1268, Statutes of 1994); and SB 1984, (Chapter 1267, Statutes of 1994).

Amend Sections 42-766.132(c), .671 et seq., and .672 to read:

42-766 CAL-LEARN CASE MANAGEMENT SERVICES

42-766

.1 Case Management (Continued)

.13 Provision of Case Management Services (Continued)

.132 Exceptions to Contracting With AFLP

The CWD may contract with other public or nonprofit agencies or school districts for all or part of case management services or may provide all or part of case management services directly only when one of the following conditions exist: (Continued)

- (c) The CWD has an existing ~~GAIN~~ teen parent program operating under an approved ~~GAIN~~ CalWORKs County Plan. (Continued)

.6 Determination of School Progress (Continued)

.67 Conclusion of Cal-Learn Participation

.671 A teen parent shall not participate in the Cal-Learn Program after the end of the month in which the teen parent turns 19 years old or, if a voluntary participant, turns 20 years old.

- (a) When the teen parent qualifies for a \$100 or \$500 bonus or a sanction before the end of the month in which the teen parent turns 19 years old or, if a voluntary participant, turns 20 years old and the action was not initiated before the end of that month, the case manager shall initiate the bonus or sanction after the end of that month.
- (b) The case manager shall not initiate a bonus or sanction for a report card period that ends after the month the teen parent turns ~~age 19 years old~~ or, if a voluntary participant, turns 20 years old.
- (c) When a teen parent ends participation due to turning ~~age 19 years old~~ old or, if a voluntary participant, turns 20 years old, or when the teen parent earns a high school diploma or its equivalent, the case manager shall notify the teen parent that the teen parent is no longer in the Cal-Learn Program.

.672 When it is known to the case manager that a teen parent is approaching the end of participation in the Cal-Learn Program, the case manager shall assist the teen parent in transitioning to independent living or to participation in ~~GAIN~~ CalWORKs welfare-to-work activities. (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11320, 11331.5(a), (b) and (c); 11331.7; 11332; 11332.5(a), (a)(1), (a)(3) and (a)(4), (b) and (c); 11333(a), (b) and (b)(1); 11333.7, (a), (b)(1), (c), (d), (e), (f) and (g); 11334, and 11334.2, Welfare and Institutions Code; 45 CFR 250.10(c); and 45 CFR 250.40(a).

Amend Section 42-767 to read:

42-767 CAL-LEARN COUNTY PLAN

42-767

.1 County Plan

CWDs shall submit a Cal-Learn County Plan as part of ~~the GAIN County Plan under Section 42-720~~ the CWDs' CalWORKs County Plan. The Cal-Learn County Plan shall include the following:

.11 Networking

A description of services in the county currently available to teens, including:
(Continued)

.112 The extent to which the programs providing these services are currently serving ~~AFDC~~ CalWORKs recipients. (Continued)

.14 Caseload Description (Continued)

.142 A description of the method by which the caseload shall be identified and participants notified of the Cal-Learn requirements. This shall include:

- (a) The schedule by which recipients of ~~AFDC~~ CalWORKs who shall be required to participate in Cal-Learn shall be phased into the CWD's program.
- (b) The initial CWD plan implementing Cal-Learn shall describe the process by which the CWD shall bring existing recipients of ~~AFDC~~ CalWORKs into Cal-Learn. (Continued)

.6 Inclusion in the CalWORKs County Plan

The Cal-Learn County Plan which was approved by CDSS as part of a CWD's GAIN County Plan shall be considered to be part of the CalWORKs County Plan when the CalWORKs County Plan is approved by CDSS.

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10063, 11320, 11320.6 and .8, 11333(b) and (b)(1), 11333.5 and (c), and 11334.2, Welfare and Institutions Code.

Amend Sections 42-768.3(f) and (f)(2) to read:

42-768 CAL-LEARN GOOD CAUSE DETERMINATION
(Continued)

42-768

.3 Good Cause Criteria

The following shall be reasons for good cause only when the event is beyond the teen parent's control and substantially deprived the teen parent of the ability to make adequate progress in school and no home study or other special arrangements could be made with the school. (Continued)

(f) Licensed or exempt child care is not reasonably available during the teen parent's hours of school, including commuting time; or child care is needed for a child who ~~meets the criteria of Section 42-750.22, but who does not meet the criteria of Section 42-750.21, and therefore~~ is not eligible for Cal-Learn paid child care as specified under Section 47-201. (Continued)

(2) The choices of child care shall meet the requirements specified in Section ~~42-750.31~~ 47-101. (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 11320 and 11333.7 (b)(2), Welfare and Institutions Code.

Amend Handbook Section 42-769.111 and Sections 42-769.125 and .23 to read:

42-769 APPLICATION OF BONUSES AND SANCTIONS

42-769

.1 Issuing the Bonus

When the CWD receives the appropriate documentation and determines that a bonus is due, the CWD shall issue the bonus as a supplement to the aid payment that was made to the AU in the month in which the bonus was earned by the eligible teen parent.

- .11 A bonus is considered to be earned as of the last day of the report card period even though the report card or certificate of graduation is not issued until a later date.

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- .111 Example: A report card period ends on June 30. The case manager notifies the CWD on July 10 that a bonus is due. The CWD issues a \$100 supplement to the June ~~AFDC~~ CalWORKs payment in August even if the teen parent was discontinued after June 30.

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- .12 Upon receipt of documentation and determination that a bonus is due, the CWD shall issue the bonus: (Continued)

- .125 Even when the AU has an existing ~~AFDC~~ CalWORKs overpayment. A Cal-Learn bonus shall not be offset by an existing overpayment adjustment.

.2 Applying the Sanction

When the CWD receives the appropriate documentation and determines that a sanction is applicable, the CWD shall process the sanction as soon as administratively practicable as follows: (Continued)

- .23 When the grant amount, prior to application of the sanction, is less than the amount of the apportioned sanction, the grant amount shall be zero. No remainder of the apportioned sanction shall be applied to subsequent months. In these cases, the family shall be considered ~~AFDC~~ CalWORKs recipients for all other purposes including eligibility for Medi-Cal. (Continued)

Authority Cited: Sections 10553 and 10554, Welfare and Institutions Code.

Reference: Sections 10063, 11333.7, (a) and (d), Welfare and Institutions Code; 45 CFR 250.40(a); Federal Waiver Terms and Conditions for the California Work Pays Demonstration Project, March 1994, and Waiver Authority for the California Work Pays Demonstration Project as transmitted by the United States Department of Health and Human Services Administration for Children and Families letter dated March 1, 1994.